

Aug. 7. 2000 1:22PM

TROPIAN INC. USA

No. 0761 P. 1/3



TROPIAN

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TO:	FROM:
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COMPANY:	DATE:
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RE:	
Petition to withdraw from issue: S/N	
09/247,097	

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Scheduled for issue August 15, 2000

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PETITIONS OFFICE

#17

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PETITION ROUTING SLIP

(Find the petition from the list and check the box in the heading above the petition)

PTO/SB/69 (12-97)

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Complete If Known

Application Number	09/247,092/9
Filing Date	02/09/99
First Named Inventor	McCune
Group Art Unit	2838
Examiner Name	Patel, R.
Attorney Docket Number	032219-007

☒ PETITIONS DECIDED BY PETITIONS OFFICE

- 301 Relating to Public Use Proceedings (37 CFR 1.292)
302 To make application special - prospective manufacture (37 CFR 1.102, MPEP 708.02)
303 To make special - infringement (37 CFR 1.102, MPEP 708.02)
304 Relating to the Filing/Issuance of Divisional Reissues (37 CFR 1.177)
305 To waive or suspend rules (37 CFR 1.183)
306 To expunge a paper from patent application or patent file (37 CFR 1.559)
307 Withdrawal of Attorney (37 CFR 1.36)
308 For access to application except re proceedings before Board (37 CFR 1.14, MPEP 103.104)
309 Relating to Small Entity (37 CFR 1.28)
310 Relating to reexamination (37 CFR 1.181-1.183)
311 For correction of inventorship for applications - no filing date (37 CFR 1.48)
312 For correction of inventorship re PCT applications (37 CFR 1.48)
313 For filing application without one or more inventors (37 CFR 1.47)
314 For filing PCT application without one or more inventors (37 CFR 1.47)
315 For extension of time without fee in cases in Application Division (37 CFR 1.136(b))
399 For matters before AIC for Patents - not specified
408 Relating to a filing date under 35 USC 111a, 37 CFR 1.53
411 Filing date for application filed by Express Mail (37 CFR 1.10)
412 Filing date for lost application
501 To revoke an abandoned application - unavoidable delay (37 CFR 1.137(a))
502 To revive an abandoned application - unintentional abandonment (37 CFR 1.137(b))

- 503 To waive/suspend rules (37 CFR 1.183)
504 To invoke supervisory authority - re patent examining operations (37 CFR 1.181)
505 To withdraw from issue after payment of issue fee (37 CFR 1.313(a))
506 To withdraw from issue after payment of issue fee (37 CFR 1.313(a))
507 To enter priority papers after issue fee payment (37 CFR 1.55(a))
508 To defer issuance of patent (37 CFR 1.514)
515 To invoke supervisory authority - re Office of Admin. (37 CFR 1.181)
518 To waive/suspend rules re patent matters in Office of Admin. (37 CFR 1.183)
519 To decide matters before Deputy AIC for Patents under 37 CFR 1.182
521 To review refusal to accept & record maintenance fee - application filed on or after 8/27/92 (37 CFR 1.377)
523 To issue patent in the name of the Assignee (37 CFR 1.334(c))
525 To withdraw a holding of abandonment (37 CFR 1.181)
526 To order a Commissioner-Initiated Reexamination proceeding (37 CFR 1.520)
527 For conversion Provisional Application
528 To reinstate abandoned Provisional Application
530 PCT petition-unavoidable
531 PCT petition-unintentional
532 To accept unavoidably delayed payment of maintenance fee (37 CFR 1.378 (b))
533 To accept unintentionally delayed payment of maintenance fee (37 CFR 1.378 (c))
534 Petitions related to reexamination proceedings
599 For matters before the Deputy AIC for Patents - not specified

☐ PETITIONS DECIDED BY THE GROUP DIRECTOR

- 601 To make application special on ground of age or health (37 CFR 1.102, MPEP 708.02)
602 To make special - continuity of earlier application (37 CFR 1.102, MPEP 708.02)
603 To make special - environment quality program (37 CFR 1.102, MPEP 708.02)
604 To make special - accelerated examination (37 CFR 1.102, MPEP 708.02)
605 To make special - Energy Program (37 CFR 1.102, MPEP 708.02)
606 To make special - Recombinant DNA (37 CFR 1.102, MPEP 708.02)
607 To make special for reasons not provided for in codes 601-606 (37 CFR 1.102, MPEP 708.02)
608 To reopen prosecution after Board decision (37 CFR 1.184)
609 For review of final readiness requirement (37 CFR 1.144)
610 Invoking Authority of Commissioner under 37 CFR 1.181 not specified in codes
611 Relating to the prematurity of final rejection (37 CFR 1.181, MPEP 708.07(c))
612 Relating to the refusal to enter an amendment (37 CFR 1.181 & 1.127, MPEP 714.18)
613 To withdraw a holding of abandonment (37 CFR 1.137, MPEP 711.03)
614 Relating to a requirement to cancel now matter from application (37 CFR 1.181, MPEP 608.04(c))
615 Relating to formal efficiency/propriety of affidavits (37 CFR 1.131, 1.132, 1.508, MPEP 715.07)
616 To institute an interference (37 CFR 1.908)
617 Relating to refusal to enter an amendment under 37 CFR 1.312

- 618 For concurrent Ex parte and Inter parte proceedings (37 CFR 1.212)
619 For return of original oath of patent application (MPEP 604.04(a))
620 For extension of time (37 CFR 1.136(b))
621 For interview after Notice of Allowance mailed (MPEP 713.10)
622 Concerning appeal application before transfer of jurisdiction to Board (MPEP 1208)
623 For second or subsequent suspension of action (37 CFR 1.103, MPEP 709)
625 To reinstate Appeals dismissed in Group
626 From denial of reexamination request (37 CFR 515(c))
627 To enter an amendment after payment of issue fee (37 CFR 1.312(b))
628 From refusal to issue a Certificate of Correction (37 CFR 1.181, MPEP 1480-1485)
629 For withdrawal of attorney from application pending in group (37 CFR 1.38)
630 For extension of time in a reexamination (37 CFR 1.550(c))
631 To merge multiple reexamination proceedings (37 CFR 1.565(c), MPEP 2283)
632 To effect a second conversion of inventorship (37 CFR 1.48, MPEP 201.03)
633 Superconductivity
634 To correct inventorship in a patent not in interference (37 CFR 1.324, MPEP 1481)
635 To change inventorship in an application (37 CFR 1.48)
636 To change inventorship in a patent (37 CFR 1.48)
637 To withdraw from issue before payment of an issue fee (37 CFR 1.313(a))
699 For matters before Group Director - not specified

☐ PETITIONS DECIDED BY BOARD OF PATENT APPEALS AND INTERFERENCES

- 701 To exercise supervisory authority re action by examiner/examiner-in-chief (37 CFR 1.644)
702 To accept botastody filed copies of interference settlement agreements (35 USC 135(c), 37 CFR 1.656(c))
703 For withdrawal of attorney in proceeding under 37 CFR 1.201 - 1.288 (37 CFR 1.38)
704 For access to a settlement agreement under 35 USC 135(c) (37 CFR 1.658(b))
705 For access to an application in proceedings before the Board (37 CFR 1.14(e))
706 From a refusal to issue a Certificate of Correction (37 CFR 1.322, 1.323)
707 To correct errors in inventorship (37 CFR 1.324)
708 For extension of time to file amendment under 37 CFR 1.196(b) (37 CFR 1.136)
709 To make an application before the Board special (37 CFR 1.102)
710 For extension of time to file supplemental Reply Brief (37 CFR 1.136)

- 711 To assign particular members to hearing or to request augmented panel (35 USC 7)
712 To reinstate Appeals dismissed in Group
713 To accept priority papers in applications in interference (37 CFR 1.844)
714 To reinstate an Appeal
799 For matters before Chairman of Board - not specified
801 To make an application before the Board special (37 CFR 1.102)
802 To reinstate an Appeal
803 To extend time/suspend proceedings (37 CFR 1.196, 1.197, 1.304)
804 For extension of time to file supplemental Reply Brief (37 CFR 1.136)
805 To accept late request for an Oral Hearing (37 CFR 1.138)
899 For matters before the Clerk of the Board - not specified

☐ PETITIONS DECIDED BY SPECIAL LAWS (SECURITY AND GOVERNMENT INTEREST MATTERS)

- 901 Under 42 USC 2182
902 Under 42 USC 2457
903 Under 35 USC 184

- 904 Under 35 USC 287
905 To consider review security or Government interest matters - not specified

☐ PETITIONS DECIDED BY THE SOLICITOR

- 951 Petitions for extension of time in court matters 35 USC 142, 145, 148
952 Petitions relating to ex parte questions in cases before the Court of Appeals for the Federal Circuit

- 953 Requests filed under the Freedom of Information Act
959 Not specified

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PETITIONS OFFICE

TROPICAN INC. USA

No. 0/61 P. 3/3

#17

Patent

Attorney's Docket No. 032219-007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Earl McCUNE et al.

Application No.: 09/274,097

Filed: February 9, 1999

**For: HIGH-EFFICIENCY AMPLIFIER
OUTPUT LEVEL AND
BURST CONTROL**

Group Art Unit: 2838

Examiner: Patel, R.

Batch No: L28

ATTN: PETITIONS OFFICE

PETITION UNDER 37 CFR 1.313(b)(5)

Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

Applicant hereby petitions to withdraw the present application from issue under 37 CFR 1.313(b)(5). A Request for Continuing Examination, an Information Disclosure Statement under 37 CFR 1.97, and the requisite fee under 37 CFR 1.17(i) are submitted herewith.

Respectfully submitted,

TROPLAN, INC.

By:

Michael J. Vre

Registration No. 33,089

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Date: August 3, 2000